OMP No. 620 of 2009

09.01.2017 Present: Mr. Dheeraj Vashisht, Advocate for the applicant.

Mr. Neeraj Gupta, Advocate for the respondents No. 6.

Service upon newly added LRs 5(a) and (b) not complete. List after service is complete.

OMP No. 1 of 2017

Reply be filed within four weeks. Also the learned counsel for the plaintiff/DH is permitted to bring to the notice of the Hon'ble Single Judge of the Hon'ble Delhi High Court, who stands seized with the execution petition for realizing from the assets of the defendant/JD, the decreetal amount embodied in the ex-parte decree, qua the ex-parte decree put to execution therebefore by the D.H., standing hereat concerted by the defendant/ JD to be set aside by the J.D. making a motion herebefore. Also besides the Hon'ble Court seized of the Execution Petition standing awakened qua the apposite application preferred herebefore by the JD for setting aside the ex-parte decree sequelling striking of issues by this Court. Consequently awaiting pronouncement of adjudication by this Court on an application instituted herebefore by the JD for setting aside the ex-parte decree, it is deemed fit and appropriate for the learned

counsel for the plaintiff/DH to make an appropriate communication to the Hon'ble Single Judge of the Hon'ble Delhi High Court qua in case the ex-parte decree pronounced vis-à-vis the plaintiff/DH stands put to coercive execution, thereby it may beget a conflict with any subsequent rendition on the motion made herebefore for setting aside the ex-parte decree also may unnecessarily result into multiplicity of litigation conspicuously qua the J.D. may be standing driven to seek restoration of the property put earlier to coercive execution.

Copy dasti.

January 9, 2017
(priti)

(Sureshwar Thakur),
Judge.